

## **PLANNING, DESIGN AND ACCESS STATEMENT**

### **PROPOSAL**

OUTLINE PLANNING PERMISSION IS SOUGHT FOR DEMOLITION OF VACANT FORMER DANCE STUDIO AND ERECTION OF A NEW 4-STOREY BUILDING HOUSING 11 X 3 BEDROOM DWELLINGS WITH ASSOCIATED BINS, CYCLE PROVISION AND FORMATION OF DORP KERBS TO PROVIDE 7 PARKING SPACES, LANDSCAPING RESERVE MATTERS

### **LOCATION**

441-447 EWELL ROAD  
SURBITON  
KT6 7ES

### **REPORT BY**

RAA PLANNING LTD



### **Site and Surroundings**

The application site is located on a larger than average corner plot at the junction of Ewell Road and Fairmead. The existing property onsite is a derelict former day nursery which ceased operating 12 years ago with the site becoming derelict and overgrown.

The current building is single-storey in nature and of general design with a large footprint in a 'U' shape layout. The site is enclosed by a mix of hedges, vegetation and railings. Access into the site is via a pedestrian access located off Fairmead, which also fronts a vehicular drop kerb.

The immediate context is one of mix use development including the substantive presence of Tolworth Tower, Travel Lodge and a mix of an Ambulance Station and a parade of commercial shops with offices and flats above all sited opposite the site.

The site adjoins semi-detached houses on two sides and is opposite a block of residential maisonette fronting Ewell Road.

The building is not listed or locally listed and is not located within a Conservation Area or LASC. There are no adjoining heritage assets.

There are a number of trees within the site but none are protected. The property is not located within a Flood Risk Zone.

The site is within a designated Key Area for Change and within 800m of the District Centre, where by policies H1 and H2 of the London Plan 2021 supports small sites development.

The site is located on the boundary of the defined Tolworth District Centre and is within immediate walking distance to a wide range of shops, services and other amenities. A range of bus services can be found along Ewell Road and Tolworth Broadway.

Tolworth Railway Station is within easy walking distance.

### **Policy considerations**

National Planning Policy Framework 2021  
The London Plan 2021  
LDF Core Strategy Adopted April 2012

### **Material Consideration**

The LPA is requested to consider the most recent appeal decision 3321649 has granted outline planning permission on 8<sup>th</sup> September 2023 for the replacement of the existing building onsite with a 3-storey residential building with 9 x 3-bedroom dwellings. This decision carries significant weight in the determination of this application.

### **Planning Proposal**

The application seeks OUTLINE consent for the demolition of the existing vacant dance studio and erection of new buildings housing 11 new dwellings with associated cycle, parking and bins provisions, new drop kerbs (landscaping reserve matters).

### **RESIDENTIAL BUILDING**

#### Ground floor

1 x 3 bedroom (4 person) of 80m<sup>2</sup>  
1 x 3 bedroom (5 person) of 82m<sup>2</sup>  
1 x 3 bedroom (4 person) of 79m<sup>2</sup>

#### First floor

1 x 3 bedroom (4 person) of 80m<sup>2</sup>  
1 x 3 bedroom (5 person) of 82m<sup>2</sup>  
1 x 3 bedroom (4 person) of 79m<sup>2</sup>

#### Second Floor

1 x 3 bedroom (4 person) of 80m<sup>2</sup>  
1 x 3 bedroom (4 person) of 82m<sup>2</sup>  
1 x 3 bedroom (4 person) of 79m<sup>2</sup>

#### Roof Floor

1 x 3 bedroom (4 person) of 76m<sup>2</sup>  
1 x 3 bedroom (4 person) of 78m<sup>2</sup>

- 24 Residential secure cycle storage plus separate bins
- 336m<sup>2</sup> communal residential garden with access via an internal hallway
- 359m<sup>2</sup> of frontage landscaping areas with new tree planting
- 3 x 10m<sup>2</sup> enclosed ground floor private amenity areas
- 6 x 10m<sup>2</sup> enclosed first and roof-level private amenity balconies
- 7 Parking spaces inclusive of 1 disabled bay with new drop kerbs
- Green roof

Overall, the development will provide much needed 3-bedroom family dwellings within a highly sustainable and accessible location that benefits from extant permission for 9 dwellings.

## **Principle of Development**

### **Paragraphs 68 of the NPPF 2021 states:**

Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

(A) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved;

(B) use tools such as area-wide design assessments and Local Development Orders to help bring small and medium sized sites forward;

(C) support the development of windfall sites through their policies and decisions-giving great weight to the benefits of using suitable sites with existing settlements for homes;

### **Paragraph 85 of the NPPF 2021 (f) states:**

Recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.

### **Paragraphs 87 of the NPPF 2021 states:**

When considering edge of centre and out of centre proposals, preference should be given to accessible sites, which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.

### **Paragraph 118 of the NPPF 2021 states:**

That planning policies and decisions should “promote and support the development of under- utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”.

### **Paragraph 122 of the NPPF 2021 c) states:**

The availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

### **Paragraph 123 of the NPPF 2021 states:**

That “Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.”

The site is a highly accessible small site sought to be developed by a small developer and will result in a windfall contribution to new housing not previously identified in the allocated housing delivery plan.

### **Policy CS10 of the LDF Core Strategy, 2012**

“The Council will take full advantage of opportunities to deliver new housing and will seek to ensure that a broad mix of accommodation options are available to residents and that a range of local housing needs are met.”

‘And the Council will seek to meet and exceed the Borough’s annual housing target...’

This position was based on an annual housing delivery target of 375 dwellings per year. This figure has been revised upwards under the London Plan SPG, 2015. This figure is materially lower than the newly adopted London Plan 2021 minimum housing delivery target for Kingston.

The newly adopted London Plan 2021 seeks 964 dwellings per annum over a 10-year period from Kingston.

The Council accepts the delivery of new housing is a strategic priority in securing the long-term economic growth of the Borough and as such small sites in sustainable locations can contribute to the delivery of new housing provision. The Government supports small windfall sites and values the contribution these make in meeting local housing needs.

The Government and London Mayor have placed increasing emphasis on encouraging Council’s to optimise new housing provision through higher density development in accessible locations through large and material to this proposal, small sites.

The London Plan sets out in Policy H1 Increasing housing supply – the need to encourage development on windfall sites not previously identified in the Local Plan and support new housing.

In addition, Policy H2 Small sites – seeks a greater role for small sites in the delivery of new housing provision with Council’s encouraged to significantly increase the net contribution these sites make, through a diversification of sources, location, type and mix of housing supply.

Policy H2 supporting text states:

‘4.2.3 The **small sites minimum targets** in Table 4.2 are informed by the 2017 London SHLAA and show the potential capacity for additional housing on sites of less than 0.25 hectares in size. The targets are based on trends in housing completions on sites of this size and the estimated capacity for net additional housing supply from intensification in existing residential areas, taking into account PTAL, proximity to stations and town centres, and heritage constraints. The small sites targets are a component of, and not additional to, the overall housing targets. The relative contribution from large and small sites in each borough may fluctuate across the target period, providing the overall 10-year borough target is met in a way that is consistent with the policies in the Plan.

The small sites target can be taken to amount to a reliable source of windfall sites which contributes to anticipated supply and so provides the compelling evidence in this respect required by paragraph 70 of the National Planning Policy Framework of 2019.

**4.2.4 Incremental intensification** of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision. These developments should generally be supported where they provide well-designed additional housing to meet London's needs.

Kingston is an Outer London Borough, which is constrained by the Green Belt, Countryside and MOL spaces, which collectively represents 32% of the Borough.

Areas like Surbiton, which adjoin the Thames River are prone to flooding and more spacious Conservation and Special Character areas that are of low density reduce the capacity for new development. In addition, the A3 is sandwiched between commercial and industrial employment land, which reduces capacity for new housing.

An opportunity exists to optimise new housing provision from this wider than average derelict corner plot, which is within an area where higher density and new build development has been permitted as part of the sites Key Area for Change designation.

Paragraphs 118 and 123 of the NPPF 2021 seeks Council's to promote higher density development from a range of accessible sites, especially where there is an identified shortfall of housing.

The Council accepts there is a pressing need for a mix of housing in the Borough and it does not have a 5-year housing supply.

Royal Borough of Kingston upon Thames

Small sites design narrative



**Areas best suited to small site development**

**Policy set out in the London Plan states:**

**London Plan Policy H2**

Small sites are encouraged by incremental intensification of existing residential areas within PTAL 3-6, or within 800m distance of a station or town centre boundary.

For Kingston borough this means 800 metre distance areas around the ten train stations including Kingston town centre, Surbiton, Tolworth and New Malden district centres. This is shown on the Borough map on the right hand side.

The site is as above within 800m of Tolworth District Centre and with an existing setting, which includes flats development through the re-development of Tolworth Towers.

The site's PTAL 4 rating reflects the sites accessibility to local amenities, public transport, schools and shops and Tolworth Train Station. Future occupants will not be reliant on a private vehicle to access to local amenities or services.

With respect to density, the Council is requested to note the adopted London Plan 2021 no longer sets out a density matrix to consider new housing developments against, but rather considers the accessibility of the site as set out about together with the sites own context and ability to accommodate higher density development.

The redevelopment of this site for new residential development will be in accordance with Policy CS10 of the LDF Core Strategy that states the Council will take full advantage of opportunities to deliver new housing in addition to being in accordance with the adopted London Plan 2021 and NPPF 2021.

**Lack of 5-year housing supply**

2021 NPPF states where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, the Council should grant planning permission unless:

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In this case Kingston Council does not have a 5-year housing land supply and so this proposal for residential development will be subject to paragraph (d). As such, the development should be permitted unless the adverse impacts significantly and demonstrably outweigh the benefits.

The delivery data states that between 2019/20 and 2021/22 the Council has accumulated a shortfall of 971 new homes. As such there is a substantive shortfall in housing supply.

The 2022 economic backdrop of rising construction cost inflation, increased interest rates and falling housing prices will further impact the rate of new housing starts, yet to be fully appreciated by Council's across London and Nationally. The effects are likely to further impact the Council's housing delivery projections.

Within the context of a housing shortage the benefits of the provision of 11 new dwellings within a sustainable location is considered to materially beneficial to the delivery of new housing from a windfall site already identified by the Council for potential new housing.

Overall, the Council should place significant weight to the benefit of new housing supply from this site to positively contribute to the identified shortfall in housing small through a windfall site not previously identified for new housing.

Lastly, the most recent appeal decision 3321649 has granted outline planning permission on 8<sup>th</sup> September 2023 for the replacement of the existing building onsite with a 3-storey residential building with 9 x 3-bedroom dwellings.

This is a significant material consideration in the determination of this application. The decision is set out in APPENDIX B for the Council consideration and adds weight to the principle of residential development in the site location.

### **Former day Nursery Use to Residential Use**

The site is derelict and occupied by a former day nursery across a large expanse of the site. The property is not suitable for re-use and internally has asbestos based on a report commissioned by the Council in March 2011.

With respect to the loss of a community use from the site the Council will note that since the last occupant left the property in 2011 the site has been left vacant and abandoned.

Of material consideration is the following from the most recent appeal hearing decision 3321649, whereby the Appeal Inspector stated the following (APPENDIX B):

*“Kingston upon Thames LDF Core Strategy 2012 (CS) policy DM24 seeks, among other things, to protect community facilities unless there is evidence the facility is no longer needed, where appropriate, it has been vacant and marketed for a community use without success, or it can be re-provided elsewhere or in a different way.*

*London Plan 2021 (LP) policy S1 also requires redundant social infrastructure to be considered for full or partial use as other forms of social infrastructure before alternative developments are considered.*

*It was agreed at the hearing that the site has not been in a community use since at least 2011. The Council confirmed that there are committee reports which show that the Council decided to dispose of the site in 2007 and then again in 2011. There is very limited evidence of the marketing that took place by the Council, other than an auction in 2022 when the appellant bought the site from the Council.*

*The large single storey building has fallen into a state of disrepair, along with the associated land. I saw when I visited the site that it is overgrown and contains signs of fly tipping and anti-social behaviour. It is also common ground that it would not be viable to bring the existing building back into use because of the degree of disrepair and the presence of asbestos. It would need to be demolished and rebuilt.*

*It seems that the building was last used as a nursery and/or a dance school. Indeed, I saw when I visited the site that there is a broken sign in the site advertising the dance school. The appellant has done some research which seems to indicate the dance school did relocate to a local church but is no longer in business. In terms of the need for the facility, firstly there has been no objections to the planning application or in relation to the appeal from any local residents or businesses. To me this is an indication that the site is no longer required for community facilities. Secondly, the cost of bringing the site back into use would be significant given the need to demolish the existing building and dispose of the asbestos in a controlled manner.*

*When marketed by the Council it was not bought by someone wishing to bring it back into community use. For the purposes of this planning appeal the appellant has been marketing the site since May this year with an established local estate agent. It has been marketed on the basis that it can only be used for community uses.*

*A report prepared for the appellant for lending purposes when he purchased the site valued it on the basis that it did not have planning permission for residential purposes. The site is being marketed at the value in the valuation report which is the same as what the appellant paid for it. Reports produced by the local estate agent in connection with the ongoing marketing exercise show only interest from*

*parties wishing to develop the site for residential purposes. Whilst I realise that this is not a long marketing period it is another indicator of the lack of interest in the site for community facilities.*

*On the final point of Policy DM24 a) it seems that the dance school at least re-located elsewhere. Anecdotal evidence from the appellant suggests that there are a lot of day nurseries in the local area and demand is falling for these since more people are working in a hybrid/flexible manner following the Covid pandemic.*

*Taking all the above into account I find that on balance the proposal would not conflict with CS policy DM24 and LP policy S1; or the Framework in so far it encourages the retention of community facilities.”*

With respect to the above the site has been marketed for community use and with no interest shown and for other reasons set out in the above appeal decision the site has been deemed suitable for a change of use to residential use.

In line with the extant permission granted under the most recent appeal, which is a significant material consideration, the principle of residential use is considered to be acceptable and outweighs the loss of the former community use from this specific site.

### **Character & Context**

**Paragraph 127 - NPPF 2021 states** planning decisions should ensure developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

### **Existing**

The existing property is a detached white render building with smaller outbuildings covering a wider than average corner plot. The site benefits from pedestrian and vehicular access of Fairmead. The site has been vacant since 2011 with the grounds and buildings falling into disrepair and overgrown.

The existing building is not listed, locally listed and of no architectural value and its demolition will not harm the character of the site or wider area.

The immediate area is one of varied use and building forms. The corner plot sits opposite the Tolworth Tower, which itself has planning permission for its own mix use redevelopment to provide new housing, retail and service apartments.

The setting of other buildings as shown below varies from a terrace of 2.5-storey commercial parade with a mansard roof expanse to a more domestic residential scale of 2-storey semi-detached houses and a terrace of maisonettes either side and to the rear of the application site and a Travel Lodge.



The Appeal Inspector characterised the local context as below:

“The area is characterised by suburban post war housing, but Ewell Road also contains a number of non-residential uses such as a parade of shops with flats above, an ambulance station, a Travelodge hotel and a 1960s office tower block known as Tolworth Tower. Consequently, the scale of development nearby ranges from modest semi-detached dwellings to the Travelodge whose scale and mass is significant, to the very tall Tolworth Tower.”

It would be reasonable to suggest there is no one prevailing pattern of character to reflect other than to consider a transitional development that makes use of modern design whilst delivering high quality onsite accommodation.

The overall opportunity for the redevelopment of this site should make efficient use of the brownfield land in this accessible and sustainable location and provide a distinctive corner plot development that not only takes cues from nearby buildings but has the opportunity to establish its own defined character.

### Proposed Residential Building

The site is located within a designated Key Area of Change. The map extract below is from the Kingston Council Core Strategy 2012, which identifies the site as being within a designated Housing Opportunity Area as well as a Key Area for Change.

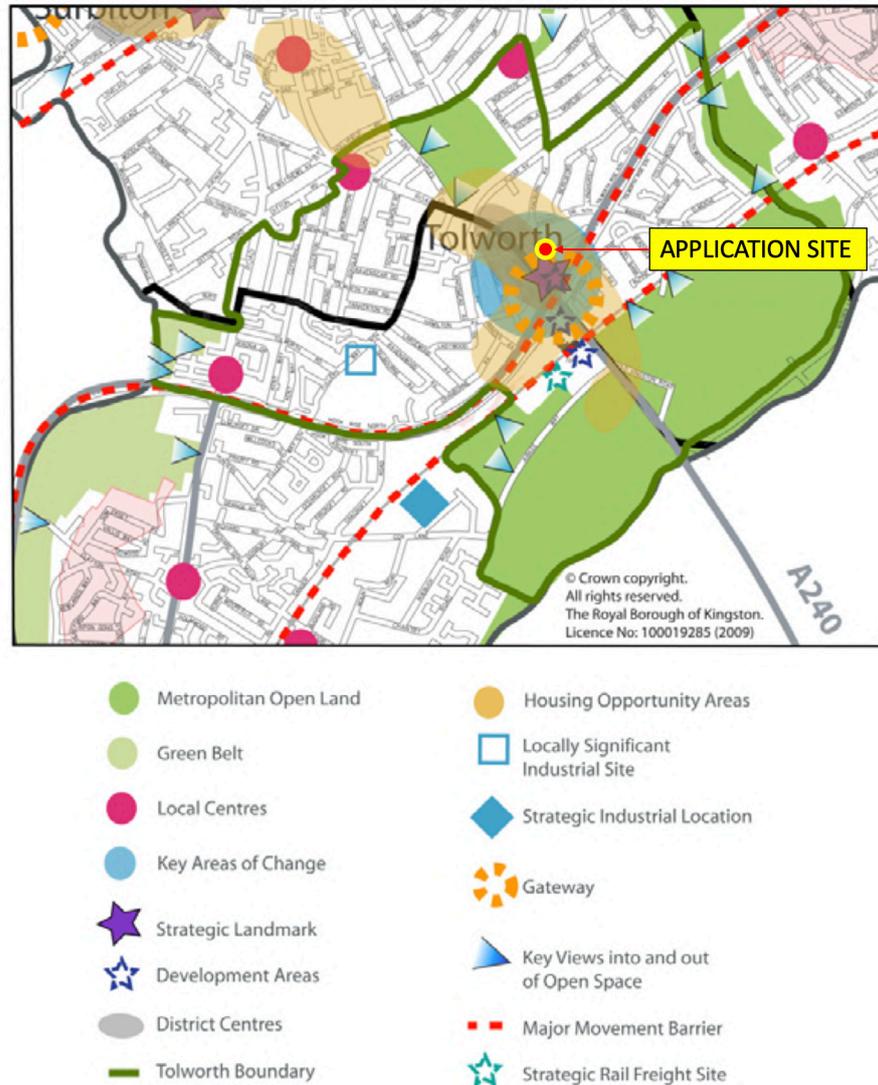


Figure 14 Tolworth Key Area of Change

Among Tolworth Key Area of Change and Housing Opportunity Areas stated objectives is for “Securing significant new housing with a range of types, units and tenure”

The Council will note the site is located within a designated Key Area of Change and Housing Opportunity Area which support new housing from active re-development of sites that naturally leads to changes in densities, building scale, heights and siting. This is the objectives of the designations to encourage greater housing delivery from these areas.

### Material Consideration - APP/Z5630/W/23/3321649

The Council is requested to note the site benefits from extant outline planning permission for a 3-storey flat roof ‘L’ shape building providing 9 x 3-bedroom dwellings with 6 parking bays and drop kerbs.

The proposal is for the same extant development with the addition of a recessed 4<sup>th</sup> floor accommodating 2 further dwellings and roof balconies and at ground floor 1 additional parking bay fronting Ewell Road, re-siting of a ground floor private amenity space from side to rear and a modest increase in cycle provision.



Building on a corner plot affords the opportunity to present a bolder building with scale.

The site designation within a Key Area of Change and within 800m of Tolworth District Centre provides the opportunity for more high quality and efficient use of land which will naturally inform the buildings scale and siting on a corner plot context.

In this context the corner plot offers an opportunity to provide a respectful balance from the sub-urban houses to the taller and broader built-up environment directly opposite with the Tolworth Tower, Travel Lodge Hotel and other 3-storey development.

The Council's Key Area of Change policies reflect the need to evolve the density and by default the character of areas within the designated Key Area of Change zones.

The current application main addition is the 4<sup>th</sup> floor. This in line with the extant permission will be finished in render and have a flat roof.

The area around the upper floor will be recessed from all sides and any clear window outlooks would be the same as extant permission windows although the scheme has been designed to have the bulk of main windows facing the highway.

The footprint of the building remains as per the extant permission with access to all flats via the approved entrance facing onto Fairmead.

The new building with the addition of the 4<sup>th</sup> floor will continue to respect the 45-degree lines and will not appear overbearing when seen from the public domain or in the context of adjoining properties.

Bins and cycles are located for convenience for the main groups of flats and for ease of collections. The location of windows will ensure all elevations have active surveillance views across various parts of the site.

It is put forward the residential building design will positively contribute to the character of the corner setting whilst delivering much needed housing with 100% provision for 11 family dwellings within this sustainable location.

The application is submitted with a Design Assessment for the Council consideration.

### **Materials & finishes**

- Part brick and render finish
- White frame windows
- Timber fencing
- Wooden decking
- Glazed balconies
- Permeable footpaths and parking bays
- Timber bin box enclosures
- Green roof

Final consideration of materials can be controlled by the Council through condition as the Council may wish to consider the best mix of using black or white railings and similar use of black or white window frames.

### **Residential Layout**

The existing site does not provide any residential accommodation. The new residential building will provide 11 new dwellings.

The London Plan 2021 standard GIA for a 3-bedroom (4-person) single floor flat is 74m<sup>2</sup>.

All dwellings either meet or exceed the London Plan 2021 standards for new dwellings and will have 100% 2.5m floors to ceiling heights.

Policy DM13 seeks where feasible 3-bedroom dwellings. Given the size of the site and its highly accessible location, the proposal provides 100% 3-bedroom family dwellings to meet the acute shortage of family housing in the Borough.

All dwellings have been designed to provide sufficient internal space to meet the general occupancy needs of each of the units with sufficient windows for daylight and outlook.

All dwellings habitable rooms will have window expanse with sufficient light and air sources. The windows will also permit an acceptable level of privacy. Furthermore, the windows will provide adequate ventilation to the open plan living spaces.

The internal layout of each dwelling has been designed to mitigate sound transmission between units. In addition, as a new build development the scheme would naturally have to meet specific sound proofing criteria under Building Regulations.

Lastly, the Council is requested to note that with the advent of technology and modern furnishings, modern flats can readily be filled with flat panel televisions, multi-functional storage units, laptops and compact utility units which combined can significantly reduce floor space demand within units and allow more openness within residential units that can contribute to its own internal amenity space.

### **Amenity Provision**

The Mayor of London's Housing Supplementary Planning Guidance (HSPG) sets out that 5m<sup>2</sup> of private amenity space should be provided for every one-or-two person dwelling with a further 1m<sup>2</sup> for each extra occupant.

Where this is not achievable a degree of communal space and proximity to alternative public open space should be considered rather than stifle the delivery of new housing.

Part (h) of Policy DM10 of the LDF Core Strategy, 2012 states that development proposals should ensure adequate *private and/or communal amenity space*. In support of this stance Policy Guidance 13 of the Residential Design SPD, 2013 requires that new flats provide 10sqm of private amenity space per dwelling, plus 1sqm of extra floor space per additional occupant.

The proposed communal amenity area will be 336m<sup>2</sup>. In addition, all dwellings will be provided with balconies.

The Council is requested to note that the issue of balconies was considered under the recent appeal 3321649.

In commenting on appeal 3321649, the Inspector determined whilst balconies were smaller than sought under the Council's standard, they were in line with the London Plan 2021 and the appeal scheme would provide significant communal amenity space. The current proposal continues to provide significant communal amenity space in line with the extant permission and beyond that sought under the LPA own requirements of 50m<sup>2</sup>.

The application site is within walking and cycle distance to Alexandra Park, which provides a public open space with child friendly playground.

Lastly modern Flats are fitted with more compact fittings and fixtures, which free up internal living spaces. This combined with proximity to important amenities such as shops, services and public transport are of further benefit to future occupants.

### **Parking and Access**

The site is within walking distance to Tolworth Broadway and Tolworth Railway Station. Bus services are available on Ewell Road itself and the site is in easy reach of a wide range of local and larger food stores as well as pharmacy, dentists and nearby Surbiton Hospital. The site is also accessible by walking, cycle and bus to local schools.

The site's PTAL rating 3 and location within 800m of Tolworth District Centre affirms the sites accessibility to local amenities, public transport and shops. Future occupants will not be reliant on a private vehicle to access to local amenities or services.

The London Plan 2021 car parking policies are T6 Car Parking and T6.1 Residential Parking. Clause 'B' of Policy T6 encourages car free and restricted parking development stating car free development should be the starting point for all development in accessible locations.

It is acknowledged that there is no current Permit CPZ in the immediate area and therefore overspill parking cannot currently be controlled by parking permit restrictions by standard condition or agreement means.

However, London Plan Policy T6.1 Clause C is clear that this should not be a barrier / transport reason for refusal.

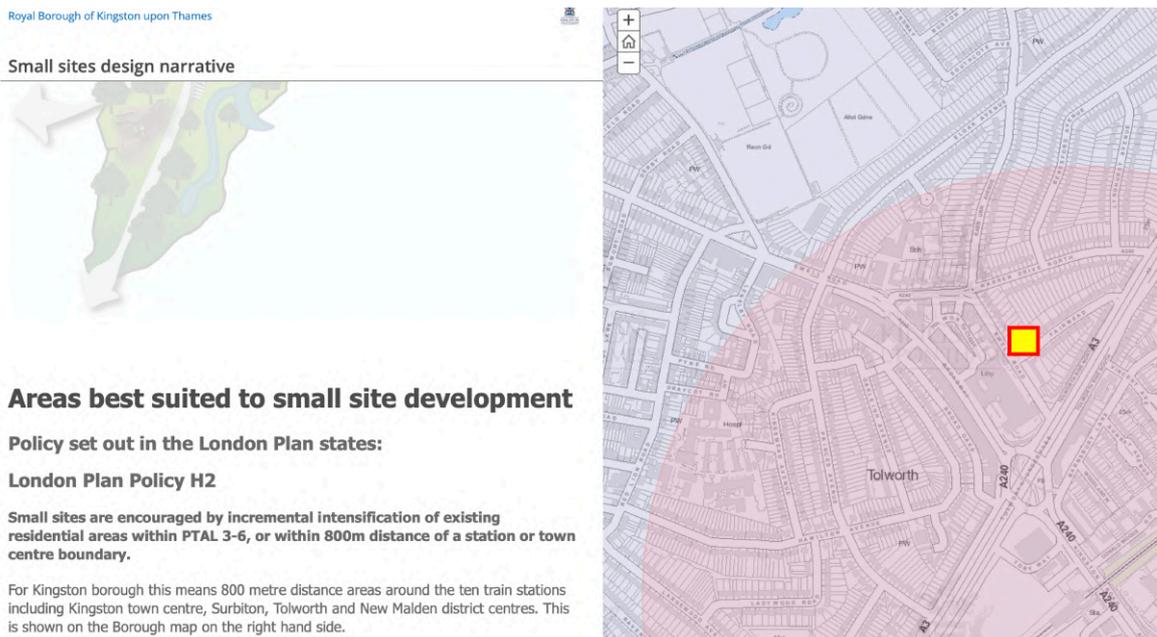
- ‘C’ An absence of local on street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets’

Based on regional policy, London Plan T6.1 maximum standards and clause C direction, and national transport impact assessment guidance, NPPF Paragraph 111, the zero-parking housing proposal is considered acceptable / not objectionable from a parking and parking impact perspective.

In this instance the proposal would not be fully car free but will provide 7 onsite parking bays in line with the extant planning permission for 9 x 3 -bedroom dwellings with 1 addition parking bay for the 2 additional flats.

The extract below is taken from Kingston Council’s own small sites design narrative guidance published online to identify areas suitable to redevelop small-scale residential housing in line with policies H1 and H2 of the London Plan 2021.

The red zone reflects Tolworth District Centre area with the yellow square marking the application site firmly within the zone identified as being suitable for new small-scale residential development.



In this instance the occupants can walk and cycle to local shops and District Centre services as well as access local bus services and trains that connect to central London.

The Council is requested to note the following appeal decision 3260562 for 19 Alexandra Drive, Tolworth (APPENDIX A) identified on the map below in red circle. The site is not within 800m of a railway station but is within 800m of a Town Centre Boundary.

The appeal development was located in a low PTAL 1b Rating and was not located within a CPZ so there was no potential to control overspill parking.

The development provided some onsite parking for a mix of 6 flats including 4 x 3-bedroom flats and 2 x 2-bedroom flats.

Appeal decision 3260562 (APPENDIX A), determined that a lack of onsite parking for a development of 6 flats was found to be acceptable as set out below:

*The site is within an urban area, surrounded by other dwellings. It is recognised that there are no public transport links within the immediate area, such as bus routes, which has resulted in the low PTAL rating. However, whilst the proposal would increase the density of development in this location, I would not regard the site as isolated or remote from services and facilities.*

*In this regard, the site is not a significant distance from the shops and services on Ewell Road, which is where there are bus connections also. There is also a large area of public open space opposite the site. I walked the area on my site visit and whilst I acknowledge that the distances for walking may not be achievable for some, the site is reasonably located to achieve access to services generally. In my opinion, future residents may be able to cycle or walk to these local services rather than being reliant on private cars for transport.*

*On this basis, the proposal is in accordance with policies CS8, DM10 and DM11 of the Core Strategy, 2012, and is also in general accordance with the policies of the 2021 London Plan.*

In determining the appeal, the Inspector found that whilst 19 Alexandra Drive had a low PTAL rating, this did not reflect accessibility to local shops, parks, services and bus services found along Ewell Road.

The Council is requested to note that unlike 19 Alexandra Drive, the present application site is within 800m of a Railway Station and is in compliance with Policy H1 and H2 of the London Plan 2021, which sets out the definition of suitable locations for small site development in accessible and sustainable locations. Which is further reinforced by the LPA's own small sites narrative.

The proposal will provide 7 residential parking bays inclusive of 1 disabled bay. All ground floor flats will be allocated 1 parking bay each.

The existing site has 1 drop kerb with be replaced. The proposal plans to create 7 parking bays with drop kerbs along Fairmead and Ewell Road, which are well spaced out and have clear visibility.

The drop kerbs will be in front of existing single and double yellow lines and as such these areas would not be parked on during day time hours or restricted hours.

The drop kerbs will be sited away from all recently planted Council owned Street Trees.

Existing semi-detached houses nearest to the site along Ewell Road and Fairmead benefit from driveway parking and garage parking.

In terms of deliveries, it is generally accepted that residential developments generate in the region of 8-9 delivery and servicing trips per 100 dwellings per day.

For the proposed development of 11 dwellings, a TRICS database trip generation exercise would project less than 1 delivery/service vehicle per day or of 0.0011 service trips per dwelling (service / goods trip/ other goods vehicles).

The development is of a size and due to its corner plot location, it would not significantly increase trip movements around the local highway to the detriment of other highway users and to the amenities of adjoining residents.

The previous parking beat survey undertaken for the approved appeal scheme is submitted with this application.

The results of the parking survey are set out below. The parking beat map is attached to this application.

AVERAGE OVERNIGHT PARKING STRESS TABLE

STREET	REGULATION							
	NONE				TOTAL			
	LENGTH	SPACES	CARS	STRESS	LENGTH	SPACES	CARS	STRESS
EWELL ROAD	130	26	24.5	94%	130	26	25.5	98%
FAIRMEAD	125	25	20.5	82%	125	25	20.5	82%
WARREN DRIVE NORTH	70	14	11.0	79%	70	14	11.0	79%
RAEBURN AVENUE	25	5	3.5	70%	25	5	3.5	70%
TOTAL	350	70	59.5	85%	350	70	60.5	86%

KEY  
NONE - PARKABLE KERB SPACE WITH NO RESTRICTION

The Transport Consultant has noted there isn't much parking around the application site and plenty of yellow lines with parking limited to on one side of the carriageways only.

Parking Stress is identified at 86% but because there's little parking in general there is little reserve capacity before a development's impact would exceed 90% stress.

Notwithstanding this, given the sites accessible location the proposed parking provision can be accommodated.

The level of 7 onsite parking provision is considered appropriate for this sustainable location. Future occupants of the proposed dwellings will not be reliant on the use of private vehicles for access to a wide range of local services and visitors can equally use bus and other sustainable travel options to visit the site.

The extant permission already accommodates a development of 9 x 3-bedroom dwellings with 6 parking bays. The addition of 2 further 3-bedroom dwellings would not significantly add to parking stress in the area any more than the extant permission and in any event the development would be tied to a car-free legal agreement, which has already been established as acceptable in this location.

### **Car Free Legal Agreement**

The site benefits from recently planning permission for 9 x 3-bedroom dwellings under appeal 3321649.

The appeal decision was party to a car-free legal agreement and as such a new agreement will be entered into to cover this current scheme for the additional increase of 2 dwellings, which would be in keeping with the principle of the car parking agreement already secured.

The proposal also provides an increase of parking from approved 6 to 7 bays so in part providing 1 more bay for the additional flats.

A draft car-free legal agreement has been prepared and submitted with this application for the LPA consideration.

The application is also submitted with a Travel Plan and Parking Survey for the LPA consideration.

### **Cycle Provision**

London Plan (2021) Policy T5 requires 24 cycle spaces

- 3-bed flats require 2 space per dwelling = 11 x 2 spaces = 22 spaces
- Additional 2 spaces for short stay visitors

Proposed cycle provision = 24 standard cycle spaces inclusive of 2 larger provisions.

The location of the Cycle units is located away from main living room windows of all dwellings and will be screened by a mix of hedges and trees and accessed via a footpath, the location is considered appropriate within a communal setting.

### **Secure Access**

Access into the residential flats will be via a single main entrance fronting Fairmead Road as per the extant permission.

### **Lifetime Homes**

The proposal has been designed to provide accessible communal areas and ground floor flats to be wheelchair accessible. Further adaptations can be made to flats where occupants need arise.

### **Trees and Landscaping**

A number of trees have been cleared from the site due to safety and the general overgrown derelict nature of the site. Those retained trees largely line the boundary of the site and will continue to be retained where shown on plan.

External Council owned Street Trees will not be impacted by the development as new drop kerbs are sited in a manner to retain these trees. Significant additional tree planting will be introduced across the site together with new landscaping.

The application is submitted with a Tree Report for the Councils consideration.

With respect to landscaping an indicative landscape plan is submitted however if the Council require more details, this can be submitted via a planning condition. The general landscaping coverage will be generous on both sides of the frontage. Further information is for Reserve Matters.

The LPA is requested to note with respect to trees and landscaping the proposal at ground floor is identical to the extant development for 9 flats with the only change being with the extra 1 parking bay facing Ewell Road.

### **Ecology**

An ecology assessment has been undertaken and is attached to this submission for the Council's consideration.

### **Flood Risk Assessment**

The site is located within Flood Zone 1, based on the EA's latest Flood Risk Map. The site is not within an area vulnerable to flooding or long-term flooding.

### **Refuse Bins**

The proposal seeks to provide refuse bins in accordance with Council standards. The bins will be housed in timber boxes as shown on the proposed plans. They are sited for ease of collection and use by all residential flats. The siting of bins is as per the approved extant appeal permission.

### **Sustainable Energy**

The proposed development embraces principles of sustainable design and construction.

Such measures have been detailed below

#### *Energy efficiency*

- High levels of insulation to the floors, walls and roof space
- Double-glazing to all windows and external doors
- Carefully designed economic and efficient central heating system with high efficiency boilers and heating controls.
- Low energy lighting will be used on this development.

#### *Water Conservation*

- Low water use appliances both sanitary and kitchen to be utilised, as well as showers to be fitted to all bathrooms.
- Water but to be on site.

#### *Development*

- Future occupants will be encouraged to use the local authority recycling facilities.
- All topsoil and natural stone produced as a result of renovation on site will be stored and conserved in a suitable manner and location to minimise impact on site and recycled accordingly elsewhere.
- Convenient access to public transport including bus and rail services as well as shops and services found in Tolworth District Centre.
- Dedicated onsite cycle storage unit.
- Green roof

### **Affordable Housing**

The proposal is for 11 dwellings and as such an affordable housing assessment has been undertaken and attached to this submission for the Council's consideration.

### **Fire Strategy**

The application is submitted with a Fire Strategy for the Council's consideration and any further matters can be dealt with by condition or through the Building Regulation compliance assessment.

### **Neighbouring amenity**

The immediate context of the site is one of mixed use with residential development adjoining the side and rear of the site with the Tolworth Tower, a 7-storey Travel Lodge opposite and a mix of an ambulance unit and commercial parade with 3-storey accommodation.

#### No.439 Ewell Road

This property is a semi-detached house adjoining the western boundary of the application site. The shared boundary is screened by a mix of hedges and trees on both sides of the boundary from front to rear.

No.439 is set back from the frontage with a large driveway for cars several vehicles. The property has a single-storey side extension to the shared boundary fence with the main two-storey element set back.

The new building will retain sufficient gaps from the side and rear elevations between No.439 two-storey side elevation and the main rear aspect of the new development. Existing trees along this boundary are to be retained and added to.

Whilst the proposal has rear facing windows these will largely look across a row of mature trees along the shared boundary with new planting within the application site. Any views towards No.439 would be within acceptable guidelines.

The nearest flats to the side boundary with No.439 will have secondary obscure glazed windows and can be controlled by standard planning condition.

Overall, even with the additional recess 4<sup>th</sup> floor the development will not materially impact the daylight, privacy or general amenities of No.439. The re-development will however enhance the corner setting from its current derelict and anti-social environment to one that introduces an attractive building and setting adjoining No.439.

#### No.1 Fairmead

This is a semi-detached two-storey dwelling with a part-single, part two-storey extension adjoining the applications northern boundary. Its side border is partially screened by vegetation and timber boundary fence. The property has no side facing windows with direct views into the application site.

The new building will retain sufficient side-to-side separation from No.1 two-storey side elevation. This gap provides a visual break between the more domestic setting of No.1 Fairmead and the application site higher density character towards Ewell Road.

The siting of the building towards No.1 Fairmead will respect the 45-degree lines from both the rear and front of the adjoining property.

Whilst the proposal has rear facing windows these will largely look across a row of mature trees along the shared boundary with new planting within the application site. Any views towards No.1 Fairmead would be limited to the end flats and would offer limited angled views from the rear facing bedrooms.

These would be no different that views from the rear windows of the adjoining semi-detached dwelling No.3 into No.1 rear garden. In this instance the gap would lessen any views.

Any secondary side facing windows will be obscured glazed and fixed as they serve bathrooms.

Overall, even with the additional recess 4<sup>th</sup> floor the development will not materially impact the daylight, privacy or general amenities of No.1 Fairmead. The re-development will however enhance the corner setting from its current derelict and anti-social environment to one that introduces an attractive building and setting adjoining No.1 Fairmead.

#### No.449 to 455 Ewell Road

These properties are part of an 'L' shape residential block partially fronting Fairmead with the main frontage on to Ewell Road.

The new flats development will face opposite the tail end of the residential block but the overall scale of the new development being two-storey with a flat roof rather than pitch combined with the general separations between front elevations will ensure the amenity, daylight and privacy of occupants within the block will be safeguarded. Any outlook from the new flats across the road will be no different to the seen from the public domain.

### Ambulance Station

The development will be opposite a single-storey ambulance station. Given the separation distances informed by the highway and footpaths in between the proposed development will not materially impact the amenities of the Ambulance Station.

The formation of new drop kerbs onto Ewell Road will not impede the operations of the Ambulance Station, which already has free-flowing traffic passing in front of it.

### No.466 & 468 Ewell Road

The new development will sit opposite a terrace of commercial buildings with offices and potential flats above. The set back of the new residential building will be such that there would be no loss of daylight or sunlight to these properties.

There is a road in between and any outlook would be limited to those visible from the public domain.

Overall, the development will not materially harm the amenities, daylight or privacy of any adjoining residential and commercial property or their current or future occupants.

The application is submitted with a Sunlight and Daylight assessment for the Council's consideration. It demonstrates the 4-storey proposal will not harm the daylight or sunlight of adjoining properties.

### Community Infrastructure Levy

The site is located within Zone 4, where the CIL schedule charge is rated at £50 per m2.

### Planning Balance

2021 NPPF states where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, the Council should grant planning permission unless:

the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed or

any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In this case Kingston Council does not have a 5-year housing land supply and so this proposal for residential development will be subject to paragraph (d). As such, the development should be permitted unless the adverse impacts significantly and demonstrably outweigh the benefits.

The benefits of the proposal that adds significant weight in favour of the proposal are considered to be:

Material consideration of appeal decision 3321649 which has recently granted outline planning permission for the replacement of the former nursery building with a new building housing 9 x 3-bedroom dwellings. This is afforded significant weight to the use of the site for residential purposes and the provision of new housing in the locality.

The new development is well designed and optimizes a wider than average vacant/derelict urban site to deliver new residential dwellings to meet Kingston Council's housing needs. The accessibility of the site and quality of accommodation onsite supports the proposed

density.

The development will deliver 11 new 3-bedroom family dwellings within proximity to shops, Tolworth Broadway, schools, nurseries, bus and railway services.

All dwellings will have good quality internal living spaces with onsite access to good quality communal gardens, parking and cycle provision.

The development is a small site and the developer subject to planning will seek to build out and deliver the new dwellings in a speedier time frame than larger strategic sites.

The development has been designed to safeguard the daylight, amenities and privacy of adjoining properties.

The development will provide an economic benefit with the generation of employment to build out the development as well as centrally located development that can help sustain the vitality and viability of the District Centre shops, services and other amenities.

The design choices of this proposal are considered to respect the mix character and will positively contribute to the architecture on this corner plot with managed landscaping.

Taken as a whole the proposal will not result in significant and demonstrably harm and where there is any minor conflict or departure this would be outweighed by the significant deliverable benefits of the scheme.

### **Conclusion**

The application site is located within a designated Key Area of Change and within 800m of Tolworth District Centre and as such the opportunity for more high quality and efficient use of land is considered acceptable in this location.

The proposed development seeks to replace a derelict former day nursery and overgrown grounds with a new residential development of 11 much needed 3-bedroom family dwellings within an accessible and sustainable location.

The design of the building is reflective of the mix scale and height of buildings found in the immediate area. Whilst being 4-storey in height, the roof level recess combined with the generous gaps around the building would continue to provide a transitional form of development to the more built-up Tower Block and 7-storey hotel opposite and adjoining residential dwellings.

The applicant has taken the opportunity to maximise the use of the site with a balanced approach that not only makes more efficient use of the site, retains quality frontage landscaping and additional new tree planting.

The quality of internal living space will meet the needs of the flats occupants and will deliver 11 family dwellings from a site that currently houses a derelict building. The delivery of 100% family housing in this accessible location is considered a significant benefit to the Council, where many developments fail to deliver family housing or family housing that still rely on higher car usage than this site would generate.

All new dwellings will meet the requirements of the London Plan 2021 in terms of dwelling sizes and will be of a functional size to meet occupancy potential.

The Council appreciates the London Plan 2021 emphasis on the need to deliver new housing through small sites through more efficient use of land supply from a wider range

of locations that can include optimising centrally located sites within 800m of a centre and land within various designated zones.

The Council recognises the challenge it faces in delivering an increase from current housing targets and supports the delivery of growth through new housing supply.

The Council will recognise that the newly adopted London Plan 2021 should be afforded significant weight and in combination with the NPPF 2021 present more up to date evidence base housing policies than the adopted Core Strategy and other associated Local Plan documents, which rely on an older evidence base and strategic changes to housing needs of Londoners.

The proposal for 11 dwellings is considered to meet the requirements of policies H1 and H2 of the London Plan and supports the Council's own economic growth through housing strategy.

The development will provide dwellings suitable for the location and site constraints and in proximity to a range of local services, shops, bus and rail services and other amenities found in Tolworth District Centre.

The proposed provision of parking is considered acceptable in this location, which is well supported by public transport and due to its location, it will support active use of walking, cycling and other non-private vehicle base trips. The development provides secure cycle storage provisions to support alternative travel options.

The sites PTAL 3 rating and reinforces the sites suitability for higher density development.

The development will safeguard the amenities of neighbouring properties and provide the future occupants of the new dwellings with a good standard of living space with onsite communal amenity provision as well as access to public open space and other amenity benefits that include proximity to leisure and eating out opportunities and proximity to Alexandra Park.

Of particular relevance to this application is an economic role, among others, to ensure land is available in the right places to support growth; a social role to support strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations and by creating a quality built-environment; as well as an environmental role which includes the protecting and enhancing the built environment.

The proposal would have an economic benefit during the construction phase and a social benefit through the provision of 11 windfall residential units making a small but valuable contribution to local housing supply; this is a clear benefit as it reduces pressure on housing land take elsewhere.

The development will be in accordance with the Development Plan policies of the Council, the London Plan 2021 and the National Planning Policy Framework 2021.

The Council is requested to grant outline planning permission (landscaping Reserve Matters) subject to conditions and a car-free legal agreement.